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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Examiner:**                      **Art Unit:**                      **Docket No.: 2017**

**In RE:                   U. S. National Stage Application**  
**of C. Pasquier, et al**

**Ser. No.:** **Crsp. To PCT/EP 01/07497**

**Filed:** **Simultaneously**

March 26, 2002

## SIMULTANEOUS AMENDMENT

Hon. Commissioner of Patents  
and Trademarks,  
Washington, D.C. 20231

Sir:

Simultaneously with entry into the U.S. National Stage of the above-identified PCT International Application, please make the following changes and consider the following REMARKS:

**In the Specification:**

Page 1, between line 3 (beginning "Dye" in the title) and line 4 (beginning "The present.."), please insert the heading: BACKGROUND OF THE INVENTION

Page 1, between line 20 and 21 (between the third and fourth full paragraph of text), please insert the heading: SUMMARY OF THE INVENTION

Page 2, between lines 14 and 15, please insert the heading:

**DESCRIPTION OF THE PREFERRED EMBODIMENTS**

**In the Claims:**

Please cancel original claims 1 and 7 without prejudice and replace the original claims 2 to 6 and 9 to 13 with the following amended claims:

2(amended). Cosmetic preparation according to claim 8, wherein Q denotes methyl, ethyl, phenyl, biphenyl, C<sub>6</sub>H<sub>4</sub>R<sub>3</sub>, C<sub>6</sub>H<sub>3</sub>R<sub>3</sub>R<sub>4</sub> or C<sub>6</sub>H<sub>2</sub>R<sub>3</sub>R<sub>4</sub>R<sub>5</sub>, wherein R<sub>3</sub>, R<sub>4</sub> and R<sub>5</sub> are equal or different and, independently of each other, stand for F, Cl, Br, I, CN, NO<sub>2</sub>, CF<sub>3</sub>, (C<sub>1</sub>-C<sub>4</sub>)-alkyl, (C<sub>1</sub>-C<sub>4</sub>)-alkoxy, monohydroxy-(C<sub>1</sub>-C<sub>4</sub>)-alkyl, polyhydroxy-(C<sub>2</sub>-C<sub>4</sub>)-alkyl, mono-(C<sub>1</sub>-C<sub>4</sub>)-alkoxy-(C<sub>1</sub>-C<sub>4</sub>)-alkyl, (C<sub>1</sub>-C<sub>4</sub>)-alkylthio, hydroxy, NR<sup>d</sup>R<sup>e</sup>, CHO, COR<sup>f</sup>, COOH, COOR<sup>g</sup>, CONHR<sup>h</sup> or NHCOR<sup>i</sup>, wherein R<sup>d</sup> and R<sup>e</sup>, independently of each other, denote hydrogen, a (C<sub>1</sub>-C<sub>4</sub>)-alkyl group, a monohydroxy(C<sub>1</sub>-C<sub>4</sub>)-alkyl group, a polyhydroxy-(C<sub>2</sub>-C<sub>4</sub>)-alkyl group or an optionally substituted aromatic carbon ring, and R<sup>f</sup>, R<sup>g</sup>, R<sup>h</sup> and R<sup>i</sup>, independently of each other, denote a (C<sub>1</sub>-C<sub>4</sub>)-alkyl group or an optionally substituted aromatic carbon ring.

3(amended). Cosmetic preparation according to claim 8, wherein X denotes oxygen or  $\text{NR}^a$ , with  $\text{R}^a$  denoting hydrogen, a  $(\text{C}_1\text{-C}_4)$ -alkyl group, a mono-hydroxy- $(\text{C}_1\text{-C}_4)$ -alkyl group, a polyhydroxy- $(\text{C}_2\text{-C}_4)$ -alkyl group or a mono- $(\text{C}_1\text{-C}_4)$ -alkoxy- $(\text{C}_1\text{-C}_4)$ -alkyl group;

**R1 = R2** = hydrogen; **Q** stands for methyl, ethyl, phenyl, biphenyl,  $\text{C}_6\text{H}_4\text{R}_3$ ,  $\text{C}_6\text{H}_3\text{R}_3\text{R}_4$  or  $\text{C}_6\text{H}_2\text{R}_3\text{R}_4\text{R}_5$ , wherein  $\text{R}_3$ ,  $\text{R}_4$  and  $\text{R}_5$  are equal or different and, independently of each other, stand for F, Cl, Br, I, CN,  $\text{NO}_2$ ,  $\text{CF}_3$ ,  $(\text{C}_1\text{-C}_4)$ -alkyl,  $(\text{C}_1\text{-C}_4)$ -alkoxy, monohydroxy- $(\text{C}_1\text{-C}_4)$ -alkyl, polyhydroxy- $(\text{C}_2\text{-C}_4)$ -alkyl, mono- $(\text{C}_1\text{-C}_4)$ -alkoxy- $(\text{C}_1\text{-C}_4)$ -alkyl,  $(\text{C}_1\text{-C}_4)$ -alkylthio, hydroxy,  $\text{NR}^d\text{R}^e$ , CHO,  $\text{COR}^f$ , COOH,  $\text{COOR}^g$ ,  $\text{CONHR}^h$  or  $\text{NHCOR}^i$ , wherein  $\text{R}^d$  and  $\text{R}^e$ , independently of each other, denote hydrogen, a  $(\text{C}_1\text{-C}_4)$ -alkyl group, a monohydroxy- $(\text{C}_1\text{-C}_4)$ -alkyl group, a polyhydroxy- $(\text{C}_2\text{-C}_4)$ -alkyl group or an optionally substituted aromatic carbon ring, and  $\text{R}^f$ ,  $\text{R}^g$ ,  $\text{R}^h$  and  $\text{R}^i$ , independently of each other, denote a  $(\text{C}_1\text{-C}_4)$ -alkyl group or an optionally substituted aromatic carbon ring.

4(amended). Cosmetic preparation according to claim 8, wherein said at least one derivative of general formula (I) is selected from the group consisting of 4-amino-7-nitro-2,1,3-benzoxadiazole; 4-N,N-dimethylamino-7-nitro-2,1,3-benzoxadiazole; 4-nitro-7-methoxy-2,1,3-benzoxadiazole; 4-nitro-7-ethoxy-2,1,3-benzoxadiazole; 4-nitro-7-phenoxy-2,1,3-benzoxadiazole; 4-nitro-7-(4'-nitrophenoxy)-2,1,3-benzoxadiazole; 4-nitro-7-(2',4',6'-trimethylphenoxy)-2,1,3-benzoxadiazole; 7-nitro-4-(N-phenylamino)-2,1,3-benzoxadiazole;

4-[N-(1-naphthalenyl)amino]-7-nitro-2,1,3-benzoxadiazole; 4-[N-(4'-chlorophenyl)amino]-7-nitro-2,1,3-benzoxadiazole; 4-[N-(4'-fluorophenyl)-amino]-7-nitro-2,1,3-benzoxadiazole; 7-nitro-4-[N-(4'-nitrophenyl)amino]-2,1,3-benzoxadiazole; 7-nitro-4-[N-(3'-nitro-phenyl)-amino]-2,1,3-benzoxadiazole; 4-[N-(2',4'-dinitrophenyl)amino]-7-nitro-2,1,3-benzoxadiazole; 4-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]benzonitrile; 4-[N-(4'-methylphenyl)amino]-7-nitro-2,1,3-benzoxadiazole; 4-[N-(2'-methyl-phenyl)amino]-7-nitro-2,1,3-benzoxadiazole; 4-[N-(4'-methoxyphenyl)amino]-7-nitro-2,1,3-benzoxadiazole; 4-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]phenol; 4-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]-3-chloro-5-nitrophenol; 3-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]phenol; 2-[(7-nitro-2,1,3-benzoxadiazol-4-yl)-amino]phenol; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-1,4-diaminobenzene; N,N-dimethyl-N'-(7-nitro-2,1,3-benzoxadiazol-4-yl)-1,4-diaminobenzene; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-(2'-hydroxyethyl)-1,4-diaminobenzene; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-(1'-hydroxyethyl)-1,4-diaminobenzene; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-methoxymethyl-1,4-diaminobenzene; N,N-di-(2'-hydroxyethyl)-N'-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-nitro-1,4-diaminobenzene; methyl 4-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]-benzoate; 4-nitro-7-(phenylthio)-2,1,3-benzoxadiazole; 4-[(4'-chlorophenyl)thio]-7-nitro-2,1,3-benzoxadiazole; 4-[(3'-chlorophenyl)thiol-7-nitro-2,1,3-benzoxadiazole; 4-[(4'-bromo-phenyl)thiol-7-nitro-2,1,3-benzoxadiazole;

4-[(4'-methylphenyl)thio]-7-nitro-2,1,3-benzoxadiazole; 4-[(3'-methoxyphenyl)-thio]-7-nitro-2,1,3-benzoxadiazole; 4-nitro-7-[(4'-nitrophenyl)thiol]-2,1,3-benzoxadiazole; 2-[(7-nitro-2,1,3-benzoxadiazol-4-yl)thio]benzoic acid; 5,7-dinitro-N-phenyl-4-amino-2,1,3-benzoxadiazole; 4-[N-[1,1'-biphenyl)-4-yl]amino]-5,7-dinitro-2,1,3-benzoxadiazole; 4-[N-(4'-chloro-phenyl)amino]-5,7-dinitro-2,1,3-benzoxadiazole; 4-[N-(4'-bromophenyl)-amino]-5,7-dinitro-2,1,3-benzoxadiazole; 4-[N-(3'-bromophenyl)amino]-5,7-dinitro-2,1,3-benzoxadiazole; 5,7-dinitro-4-[N-(4'-nitrophenyl)amino]-2,1,3-benzoxadiazole; 5,7-dinitro-4-[N-(3'-nitro-phenyl)amino]-2,1,3-benzoxadiazole; 4-[N-(4'-methoxyphenyl)-amino]-5,7-dinitro-2,1,3-benzoxadiazole; 4-[N-(4'-methylphenyl)amino]-5,7-dinitro-2,1,3-benzoxadiazole; N'-(5,7-dinitro-2,1,3-benzoxadiazol-4-yl)-N,N-dimethyl-1,4-diaminobenzene; 3-[(5,7-dinitro-2,1,3-benzoxadiazol-4-yl)amino]phenol; 4-(N-methyl-N-phenylamino)-7-nitro-2,1,3-benzoxadiazole; 4-(N-ethyl-N-phenylamino-7-nitro-2,1,3-benzoxadiazole and 4-[N-(2'-hydroxyethyl)-N-[4-di-(2'-hydroxyethyl)-2-nitrophenylamino]-7-nitro-2,1,3-benzoxadiazole.

5(amended). Cosmetic preparation according to claim 8, wherein said at least one derivative of general formula (I) is selected from the group consisting of 4-nitro-7-methoxy-2,1,3-benzoxadiazole; 4-nitro-7-ethoxy-2,1,3-benzoxadiazole; 4-nitro-7-phenoxy-2,1,3-benzoxadiazole; 7-nitro-4-(N-phenylamino)-2,1,3-benzoxadiazole; 4-[N-(4'-methylphenyl)aminol]-7-nitro-2,1,3-benzoxadiazole;

4-[N-(4'-methoxyphenyl)-amino]-7-nitro-2,1,3-benzoxadiazole; 4-[(7-nitro-2,1,3-benzoxadiazol-4-yl)-amino]phenol; 3-[(7-nitro-2,1,3-benzoxadiazol-4-yl)-amino]phenol; 2-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]phenol; 4-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]-3-chloro-5-nitrophenol; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-1,4-diaminobenzene; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-(2'-hydroxyethyl)-1,4-diaminobenzene; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-(1'-hydroxyethyl)-1,4-diaminobenzene; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-(methoxymethyl)-1,4-diaminobenzene; N,N-dimethyl-N'-(7-nitro-2,1,3-benzoxadiazol-4-yl)-1,4-diamino-benzene; N,N-di-(2'-hydroxyethyl)-N'-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-nitro-1,4-diaminobenzene and 4-[N-(2'-hydroxyethyl)-N-[4-di-(2'-hydroxy-ethyl)-2-nitrophenylamino]-7-nitro-2,1,3-benzoxadiazole.

6(amended). Cosmetic preparation according to claim 8, and containing said at least one 4-nitro-2,1,3-benzoxadiazole derivative of general formula (I) in an amount from 0.01 to 10 wt. %.

9(amended). Cosmetic preparation according to claim 8, further comprising at least one direct dye compound selected from the group consisting of anionic dyes, cationic dyes, nitro dyes, azo dyes, anthraquinone dyes, triphenylmethane dyes and disperse dyes.

10(amended). Cosmetic preparation according to claim 8 or 9, in the form of a shade fixative or color fixative and further comprising at least one natural or synthetic polymer or at least one modified polymer of natural origin.

11(amended). Cosmetic preparation according to one of claims 8 to 10, further comprising an oxidation dye precursor.

12(amended). Cosmetic preparation according to one of claims 8 to 11, further comprising an oxidant mixed with said at least one 4-nitro-2,1,3-benzoxadiazole derivative.

13(amended). Cosmetic preparation according to one of claims 8 to 12, consisting of a hair colorant composition.

### REMARKS

This is a simultaneous amendment of the English translation of U.S. National Stage application corresponding to International Patent Application PCT/EP 01/07497.

Claims 1 and 7 have been canceled and "use" claims 2 to 6, which are non-statutory in U.S. Practice, have been amended so that they now depend on cosmetic preparation claim 8 and are dependent preparation claims. Also dependent preparation claims 9 to 13 have been amended. Minor changes in

claim wording have been made to put the claims in a form that conforms to U.S. Patent Office Rules.

The specification was amended to provide current standard section headings recommended in U.S. Patent Office Rules.

## **APPENDIX SHOWING CHANGES MADE TO OBTAIN THE AMENDED CLAIMS**

Underlining shows additions; brackets show deletions

### **In the Claims:**

The following changes were made in claims 2 to 6 and 9 to 13:

2(amended). [Use] Cosmetic preparation according to [Claim 1, characterized in that in formula (I):] claim 8, wherein Q denotes methyl, ethyl, phenyl, biphenyl, C<sub>6</sub>H<sub>4</sub>R<sub>3</sub>, C<sub>6</sub>H<sub>3</sub>R<sub>3</sub>R<sub>4</sub> or C<sub>6</sub>H<sub>2</sub>R<sub>3</sub>R<sub>4</sub>R<sub>5</sub>, wherein R<sub>3</sub>, R<sub>4</sub> and R<sub>5</sub> are equal or different and, independently of each other, stand for F, Cl, Br, I, CN, NO<sub>2</sub>, CF<sub>3</sub>, (C<sub>1</sub>-C<sub>4</sub>)-alkyl, (C<sub>1</sub>-C<sub>4</sub>)-alkoxy, monohydroxy-(C<sub>1</sub>-C<sub>4</sub>)-alkyl, polyhydroxy-(C<sub>2</sub>-C<sub>4</sub>)-alkyl, mono-(C<sub>1</sub>-C<sub>4</sub>)-alkoxy-(C<sub>1</sub>-C<sub>4</sub>)-alkyl, (C<sub>1</sub>-C<sub>4</sub>)-alkylthio, hydroxy, NR<sup>d</sup>R<sup>e</sup>, CHO, COR<sup>f</sup>, COOH, COOR<sup>g</sup>, CONHR<sup>h</sup> or NHCOR<sup>i</sup>, wherein R<sup>d</sup> and R<sup>e</sup>, independently of each other, denote hydrogen, a (C<sub>1</sub>-C<sub>4</sub>)-alkyl group, a monohydroxy(C<sub>1</sub>-C<sub>4</sub>)-alkyl group, a polyhydroxy-(C<sub>2</sub>-C<sub>4</sub>)-alkyl group or an optionally substituted aromatic carbon ring, and R<sup>f</sup>, R<sup>g</sup>, R<sup>h</sup> and R<sup>i</sup>, independently of each other, denote a (C<sub>1</sub>-C<sub>4</sub>)-alkyl group or an optionally substituted aromatic carbon ring.



3(amended). Cosmetic preparation [Use] according to [Claim 1 or 2, characterized in that in formula (I)] claim 8, wherein X denotes oxygen or NR<sup>a</sup>, with R<sup>a</sup> denoting hydrogen, a (C<sub>1</sub>-C<sub>4</sub>)-alkyl group, a monohydroxy-(C<sub>1</sub>-C<sub>4</sub>)-alkyl group, a polyhydroxy-(C<sub>2</sub>-C<sub>4</sub>)-alkyl group or a mono-(C<sub>1</sub>-C<sub>4</sub>)-alkoxy-(C<sub>1</sub>-C<sub>4</sub>)-alkyl group;

**R1 = R2** = hydrogen; **Q** stands for methyl, ethyl, phenyl, biphenyl, C<sub>6</sub>H<sub>4</sub>R<sub>3</sub>, C<sub>6</sub>H<sub>3</sub>R<sub>3</sub>R<sub>4</sub> or C<sub>6</sub>H<sub>2</sub>R<sub>3</sub>R<sub>4</sub>R<sub>5</sub>, wherein R<sub>3</sub>, R<sub>4</sub> and R<sub>5</sub> are equal or different and, independently of each other, stand for F, Cl, Br, I, CN, NO<sub>2</sub>, CF<sub>3</sub>, (C<sub>1</sub> - C<sub>4</sub>)-alkyl, (C<sub>1</sub>-C<sub>4</sub>)-alkoxy, monohydroxy-(C<sub>1</sub>-C<sub>4</sub>)-alkyl, polyhydroxy-(C<sub>2</sub>-C<sub>4</sub>)-alkyl, mono-(C<sub>1</sub>-C<sub>4</sub>)-alkoxy-(C<sub>1</sub>-C<sub>4</sub>)-alkyl, (C<sub>1</sub>-C<sub>4</sub>)-alkylthio, hydroxy, NR<sup>d</sup>R<sup>e</sup>, CHO, COR<sup>f</sup>, COOH, COOR<sup>g</sup>, CONHR<sup>h</sup> or NHCOR<sup>i</sup>, wherein R<sup>d</sup> and R<sup>e</sup>, independently of each other, denote hydrogen, a (C<sub>1</sub>-C<sub>4</sub>)-alkyl group, a monohydroxy-(C<sub>1</sub>-C<sub>4</sub>)-alkyl group, a polyhydroxy-(C<sub>2</sub>-C<sub>4</sub>)-alkyl group or an optionally substituted aromatic carbon ring, and R<sup>f</sup>, R<sup>g</sup>, R<sup>h</sup> and R<sup>i</sup>, independently of each other, denote a (C<sub>1</sub>-C<sub>4</sub>)-alkyl group or an optionally substituted aromatic carbon ring.

4(amended). [Use] Cosmetic preparation according to [one of Claims 1 to 3, characterized in that the compound] claim 8, wherein said at least one derivative of general formula (I) is selected from [among] the group consisting of 4-amino-7-nitro-2,1,3-benzoxadiazole; 4-N,N-dimethylamino-7-nitro-2,1,3-benzoxadiazole; 4-nitro-7-methoxy-2,1,3-benzoxadiazole; 4-nitro-7-ethoxy-2,1,3-benzoxadiazole; 4-nitro-7-phenoxy-2,1,3-benzoxadiazole; 4-nitro-7-(4'-nitrophenoxy)-2,1,3-

benzoxadiazole; 4-nitro-7-(2',4',6'-trimethylphenoxy)-2,1,3-benzoxadiazole; 7-nitro-4-(N-phenylamino)-2,1,3-benzoxadiazole; 4-[N-(1-naphthalenyl)amino]-7-nitro-2,1,3-benzoxadiazole; 4-[N-(4'-chlorophenyl)amino]-7-nitro-2,1,3-benzoxadiazole; 4-[N-(4'-fluorophenyl)-amino]-7-nitro-2,1,3-benzoxadiazole; 7-nitro-4-[N-(4'-nitrophenyl)amino]-2,1,3-benzoxadiazole; 7-nitro-4-[N-(3'-nitrophenyl)-amino]-2,1,3-benzoxadiazole; 4-[N-(2',4'-dinitrophenyl)amino]-7-nitro-2,1,3-benzoxadiazole; 4-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]-benzonitrile; 4-[N-(4'-methylphenyl)amino]-7-nitro-2,1,3-benzoxadiazole; 4-[N-(2'-methylphenyl)amino]-7-nitro-2,1,3-benzoxadiazole; 4-[N-(4'-methoxyphenyl)amino]-7-nitro-2,1,3-benzoxadiazole; 4-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]phenol; 4-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]-3-chloro-5-nitrophenol; 3-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]phenol; 2-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]phenol; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-1,4-diaminobenzene; N,N-dimethyl-N'-(7-nitro-2,1,3-benzoxadiazol-4-yl)-1,4-diaminobenzene; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-(2'-hydroxyethyl)-1,4-diaminobenzene; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-(1'-hydroxyethyl)-1,4-diaminobenzene; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-methoxymethyl-1,4-diaminobenzene; N,N-di-(2'-hydroxyethyl)-N'-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-nitro-1,4-diaminobenzene; methyl 4-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]benzoate; 4-nitro-7-(phenylthio)-2,1,3-benzoxadiazole; 4-[(4'-chlorophenyl)thio]-7-nitro-2,1,3-benzoxadiazole; 4-[(3'-chlorophenyl)thiol-7-nitro-2,1,3-benzoxadiazole; 4-[(4'-bromo-phenyl)thiol-7-nitro-2,1,3-benzoxadiazole; 4-[(4'-methylphenyl)thio]-7-nitro-2,1,3-benzoxadiazole; 4-[(3'-methoxyphenyl)thio]-7-

nitro-2,1,3-benzoxadiazole; 4-nitro-7-[(4'-nitrophenyl)thiol-2,1,3-benzoxadiazole; 2-[(7-nitro-2,1,3-benzoxadiazol-4-yl)thio]benzoic acid; 5,7-dinitro-N-phenyl-4-amino-2,1,3-benzoxadiazole; 4-[N-[1,1'-biphenyl)-4-yl]amino]-5,7-dinitro-2,1,3-benzoxadiazole; 4-[N-(4'-chloro-phenyl)amino]-5,7-dinitro-2,1,3-benzoxadiazole; 4-[N-(4'-bromophenyl)-amino]-5,7-dinitro-2,1,3-benzoxadiazole; 4-[N-(3'-bromophenyl)amino]-5,7-dinitro-2,1,3-benzoxadiazole; 5,7-dinitro-4-[N-(4'-nitrophenyl)-amino]-2,1,3-benzoxadiazole; 5,7-dinitro-4-[N-(3'-nitro-phenyl)amino]-2,1,3-benzoxadiazole; 4-[N-(4'-methoxy-phenyl)amino]-5,7-dinitro-2,1,3-benzoxadiazole; 4-[N-(4'-methylphenyl)amino]-5,7-dinitro-2,1,3-benzoxadiazole; N'-(5,7-dinitro-2,1,3-benzoxadiazol-4-yl)-N,N-dimethyl-1,4-diaminobenzene; 3-[(5,7-dinitro-2,1,3-benzoxadiazol-4-yl)amino]phenol; 4-(N-methyl-N-phenyl-amino)-7-nitro-2,1,3-benzoxadiazole; [or] 4-(N-ethyl-N-phenylamino-7-nitro-2,1,3-benzoxadiazole and 4-[N-(2'-hydroxy-ethyl)-N-[4-di-(2'-hydroxyethyl)-2-nitro-phenylamino]-7-nitro-2,1,3-benzoxadiazole.

5(amended). [Use] Cosmetic preparation according to [Claim 4, characterized in that the compound] claim 8, wherein said at least one derivative of general formula (I) is selected from [among] the group consisting of 4-nitro-7-methoxy-2,1,3-benzoxadiazole; 4-nitro-7-ethoxy-2,1,3-benzoxadiazole; 4-nitro-7-phenoxy-2,1,3-benzoxadiazole; 7-nitro-4-(N-phenylamino)-2,1,3-benzoxadiazole; 4-[N-(4'-methylphenyl)aminol-7-nitro-2,1,3-benzoxadiazole; 4-[N-(4'-methoxyphenyl)-amino]-7-nitro-2,1,3-benzoxadiazole; 4-[(7-nitro-2,1,3-benzoxadiazol-4-yl)-

amino]phenol; 3-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]phenol; 2-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]phenol; 4-[(7-nitro-2,1,3-benzoxadiazol-4-yl)amino]-3-chloro-5-nitrophenol; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-1,4-diaminobenzene; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-(2'-hydroxyethyl)-1,4-diaminobenzene; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-(1'-hydroxyethyl)-1,4-diaminobenzene; N-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-(methoxymethyl)-1,4-diaminobenzene; N,N-dimethyl-N'-(7-nitro-2,1,3-benzoxadiazol-4-yl)-1,4-diaminobenzene; N,N-di-(2'-hydroxyethyl)-N'-(7-nitro-2,1,3-benzoxadiazol-4-yl)-2-nitro-1,4-diaminobenzene and 4-[N-(2'-hydroxyethyl)-N-[4-di-(2'-hydroxyethyl)-2-nitrophenylamino]-7-nitro-2,1,3-benzoxadiazole.

6(amended). [Use] Cosmetic preparation according to [one of Claims 1 to 5, characterized in that in the colorant employed the compound] claim 8, and containing said at least one 4-nitro-2,1,3-benzoxadiazole derivative of general formula (I) [is used] in an amount from 0.01 to 10 wt. %.

9(amended). Cosmetic preparation according to [Claim] claim 8, [characterized in that it contains additionally] further comprising at least one [known] direct dye compound selected from the group consisting of anionic dyes, [or] cationic dyes, nitro dyes, azo dyes, anthraquinone dyes, triphenylmethane dyes [or] and disperse dyes.

10(amended). Cosmetic preparation according to [Claim] claim 8 or 9,  
[characterized in that it additionally contains] in the form of a shade fixative or  
color fixative and further comprising at least one natural or synthetic polymer or  
at least one modified polymer of natural origin [commonly used in cosmetics and  
that it is in the form of a shade fixative or color fixative].

11(amended). Cosmetic preparation according to one of [Claims] claims 8 to 10,  
[characterized in that it additionally contains] further comprising an oxidation dye  
precursor.

12(amended). Cosmetic preparation according to one of [Claims] claims 8 to 11,  
[characterized in that it is mixed with] further comprising an oxidant [before use]  
mixed with said at least one 4-nitro-2,1,3-benzoxadiazole derivative.


13(amended). Cosmetic preparation according to one of [Claims] claims 8 to 12,  
[characterized in that it is a hair colorant] consisting of a hair colorant  
composition.

Should the Examiner require or consider it advisable that the specification,  
claims and/or drawing be further amended or corrected in formal respects to put  
this case in condition for final allowance, then it is requested that such  
amendments or corrections be carried out by Examiner's Amendment and the  
case passed to issue. Any costs involved should be charged to the deposit

account of the undersigned (No. 19-4675). Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing the case to allowance, he or she is invited to telephone the undersigned at 1-631-549 4700.

In view of the foregoing, favorable allowance is respectfully solicited.

Respectfully submitted,

  
Michael J. Striker,

Attorney for the Applicants

Reg. No. 27,233